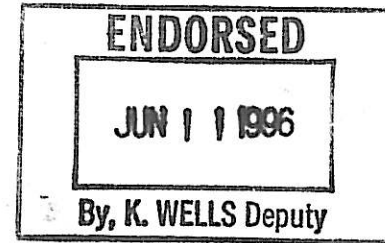


COPY

GRACE A. GALLIGHER, S.B.N. 106687
Coalition of California Welfare
Rights Organizations, Inc.
1901 Alhambra Blvd., 2nd Floor
Sacramento, CA 95814
(916) 736-0616

Attorney for plaintiffs



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

GARIB MURADYAN, et.al.,)	CASE NO 372922
)	
Plaintiffs /Petitioners,)	STIPULATION OF
)	SETTLEMENT AND
v.)	<u>CONSENT DECREE</u>
)	
ELOISE ANDERSON, Director, California)	
Department of Social Services, et. al.,)	
)	
Defendants/Respondents.)	
-----)	

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. In this class action, plaintiffs seek relief arising from sanctions imposed based on defendants' alleged policy of requiring applicants for and recipients of Aid to Families with Dependent Children ("AFDC") to attend orientation and/or appraisal activities for the Greater Avenues of Independence ("GAIN") program, even though the individual claimed that he or she was remote from these GAIN activities.

2. The parties wish to settle this litigation by entering into this stipulated agreement which includes prospective relief requiring the county welfare departments to determine whether the remoteness exemption applies to the AFDC

1 applicant or recipient before the AFDC applicant or recipient is sent a GAIN
2 registration form. The Department of Social Services ("Department") and county
3 welfare departments will apply the remoteness exemption to all GAIN activities,
4 including orientation and appraisal. In light of this prospective relief, and because
5 of the expense and time which would be required by the parties to identify any
6 individual class members, retroactive relief is waived.
7

8 3. For purposes of this consent decree, the parties agree that the class is
9 defined as those GAIN participants or registrants who were sanctioned for their
10 failure to attend the GAIN orientation or appraisal activities, even though they
11 were remote from these GAIN activities.
12

13 4. This consent decree shall be binding upon all class members and the
14 Director of the Department, and her employees, agents, successors in interest, and all
15 persons acting by, through, or under them, including the counties, and their
16 employees, agents, and all persons acting by, through, or under them.
17

18 5. In December 1995, the Department implemented regulations and
19 procedures requiring the counties to determine whether an AFDC
20 applicant/recipient is exempt due to remoteness prior to sending the individual a
21 GAIN Registration form (GAIN 24). At the time an individual applies for AFDC,
22 counties are required to provide the GAIN Program Notice (GAIN 53). The GAIN
23 Program Notice informs the AFDC applicant to request a GAIN Exemption Request
24 form (GAIN 52) in order to request a GAIN exemption. Counties are required to
25 complete a GAIN Exemption Determination form (GAIN 63) and send a copy to the
26
27
28

1 AFDC applicant prior to sending the GAIN Registration form (GAIN 24).

2 6. Pursuant to this consent decree, the Department shall develop and
3 implement a revised, combined GAIN Exemption Request (GAIN 52) and GAIN
4 Program Notice (GAIN 53) form. This form shall be provided to: (1) AFDC
5 applicants at the time the individual applies for AFDC; (2) AFDC recipients at the
6 time of the GAIN orientation and appraisal; and (3) AFDC applicants/recipients
7 upon request. The Department shall develop and send an All-County Letter
8 informing the counties of this revised, combined form.
9

10 7. The Department has adopted and promulgated regulations necessary to
11 implement the Stipulation for Agreement and Consent Decree on an emergency
12 basis subject to the requirements and approval of the Office of Administrative Law.
13

14 8. The Department shall transmit to plaintiffs' counsel the All-County Letter
15 and revised, combined GAIN Exemption Request (GAIN 52) and GAIN Program
16 Notice (GAIN 53) form as soon as administratively possible. Plaintiffs' counsel shall
17 return comments on the documents within ten working days from receipt of such
18 documents.
19

20 9. The Department shall provide plaintiffs' counsel with copies of the
21 correspondence between the Department and the county welfare departments and
22 copies of the county welfare departments' instructions to their staff regarding the
23 definition and application of the remoteness exemption for a period of one year
24 after the Stipulation and Consent Decree is signed by the court.
25

26 10. All claims raised by plaintiffs in their First Amended Petition for Writ of
27
28

1 Mandate, Petition for Writ of Administrative Mandamus, Request for Taxpayers'
2 Injunctive Relief, and Retroactive Benefits, which are not specifically addressed in
3 the Stipulation for Agreement and Consent Decree, are abandoned.

4
5 11. Within five days from the date that the court order approving this
6 stipulation and consent decree becomes final, plaintiffs will dismiss this action with
7 prejudice.

8 12. Attorney's fees and costs, if any, sought by plaintiffs will be the subject of
9 separate negotiations, and proceedings, if necessary. Dismissal of this action will not
10 prejudice any claim for attorney's fees and costs.

11 13. The Department does not admit to any wrongdoing by entering into this
12 Stipulation for Agreement and Consent Decree.

13
14 14. Nothing in this Stipulation and Consent Decree shall prohibit defendants
15 from implementing any policies or practices relating to the GAIN program required
16 by changes in state or federal law. In the event that changes in state or federal law
17 require elimination of the remoteness exemption, then the terms of this Stipulation
18 and Consent Decree will automatically become null and void. In the event that
19 changes in state or federal law require substantial modification of the remoteness
20 exemption, or the exemption determination process, then the parties agree to meet
21 and confer to determine whether the terms of this Stipulation and Consent Decree
22 should be modified.
23


24 ////

25 ////

1 15. The Court shall retain jurisdiction for a period of one year from the date
2 the Stipulation and Consent Decree is signed by the court.


3 IT IS SO STIPULATED.

4
5 DATED: May 17, 1996

6
7 
8 GRACE A. GALLIGHER
9 Attorney for Plaintiffs
10 Coalition of California
11 Welfare Rights Organizations

12 DATED: May 22 1996

DANIEL E. LUNGREN, Attorney General
of the State of California
Dennis Eckhart, Supervising Deputy
Attorney General

14 
15 ANDREA LYNN HOCH
16 Deputy Attorney General
17 Attorney for Defendants

18 IT IS SO ORDERED.

19
20 DATED: 6/11/96

21
22 CECILY BOND
23 _____
24 JUDGE OF THE SUPERIOR COURT
25
26
27
28